



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,926	08/25/2003	Mitsuru Amimoto	03560.017496.	1957
5514	7590	12/10/2007	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			GETANEH, MESFIN S	
		ART UNIT	PAPER NUMBER	
		4157		
		MAIL DATE	DELIVERY MODE	
		12/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/646,926	AMIMOTO ET AL.
	Examiner	Art Unit
	Mesfin Getaneh	4157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11-13-03;09-26-05</u> . | 6) <input type="checkbox"/> Other: ____ . |

DETAILED ACTION

Specification

1. The disclosure, referencing from the application publication # US 20040057086 A1, is objected to because of the following informalities:
Misspelling in paragraph [0008]. Paragraph [0011] and Paragraph [0043] are grammatically incorrect. Appropriate correction is required.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

3. Figure 9 and 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-3 and 5-24** are rejected under 35 U.S.C. 102(e) as being anticipated by Ochi et al. (US 7,034,967).

With regards to **claim 1**, Ochi discloses an image reading apparatus comprising (Image reading apparatus of **FIG.5**): an original plate on which a transparent original is installed (original placement bed, **col. 3, line 8-9**); a transparent original guide unit for installing the transparent original at a predetermined position on said original plate (a delivery device, **col. 3, line 13-14**); a light source unit constituted so that it can be installed at plural positions with respect to said transparent original guide unit and having a surface light source for illuminating the transparent original (a lighting device, **col. 3, line 14-15**); and an image reading unit for reading an image of the transparent original through said original plate (a reading device, **col.3, line 9-10**); wherein the transparent original is installed inside of said transparent original guide unit installed on said original plate and in contact with said original plate (see **FIG. 5**) and; said light source unit is contacted with the transparent original and urges the transparent original against said original plate (a transparent original adapter comprising a lighting unit is in contact with the film and is also pressed against platen glass 100, **col. 12, line 53-61, FIG. 5**).

With regards to **claim 2**, which further limits **claim 1**, wherein the transparent original is urged against said original plate by a weight of said light source unit itself (the film is pressed against the original placement bed by a weight of the transparent original adapter comprising the lighting device. See **FIG. 5**).

With regards to **claim 3**, which further limits **claim 1**, wherein an effective illuminating surface of said light source unit is greater than an entire image

surface of one of plural images included in the transparent original and smaller than the entirety of the plural images (lighting unit 74 in **Fig. 6, col.13, line 4-5, and col. 16, line 52-59**).

With regards to **claim 5**, which further limits **claim 3**, wherein a contact surface between said light source unit and said transparent original guide unit is provided with sliding preventing means (**FIG. 5**, film supporting roller 75 and 76).

With regards to **claim 6**, which further limits **claim 5**, wherein said sliding preventing means have a configuration including continuous triangular or wave-shaped or similar combinable shapes and a plurality of said sliding preventing means are provided on both said light source unit and said transparent original guide unit continuously or discontinuously (film supporting roller 75 and 76 of **FIG. 5** have circular shapes positioned between the lighting device 74 and the platen glass 100 and are preventing the film from sliding).

With regards to **claim 7**, which further limits **claim 5**, wherein said sliding preventing means are formed by sticking soft members having great coefficient of friction onto one or both of said light source unit and said transparent original guide unit (**Fig. 5**, it is inherent that coefficient of friction exists between film adapter comprising film supporting rollers and light source and the platen glass in order the film advances).

With regards to **claim 8**, which further limits **claim 3**, wherein a transparent original having plural image frames can be installed in said transparent original guide unit, and a maximum width of the effective illuminating surface of said light source unit is smaller than a longitudinal side of an effective

image area of an entire maximum transparent original settable in said transparent original guide unit (**FIG. 8, col. 16, line 45-57**).

With regards to **claim 9**, which further limits **claim 3**, wherein said transparent original guide unit has transparent original installing reference means and an image position mark, and said light source unit has an image position aligning mark corresponding to the image position mark of said transparent original guide unit (adjustment device and a film position adjustment device, **col. 14, line 8-12** and **col. 14, line 33-53**).

With regards to **claim 10**, which further limits **claim 1**, wherein said image reading unit is designed to illuminate light source light onto a reflection type original installed on said original plate (**col. 15, line 55-57**) and to read the image by photo-electrically converting light reflected from a surface of the original (**col. 14, line 7-9**).

With regards to **claim 11**, which further limits **claim 3**, positioning means for determining a relative position between the transparent original and said transparent original guide unit and said light source unit (light source drive circuit 78 and optical drive circuit 66 of **FIG. 6**), and wherein, by the positioning of said positioning means, said light source unit can illuminate the entirety of at least any one image surface of among plural images included in the transparent original (**col.14, line 47-57**).

With regards to **claim 12**, which further limits **claim 11**, wherein said positioning means include a regulating portion for positioning the transparent

original with respect to said transparent original guide unit (Film position detection sensor 36 of **FIG 6, col.8, line 65-67**).

With regards to **claim 13**, which further limits **claim 11**, wherein said positioning means include a convex/concave portion provided between said transparent original guide unit and said light source unit (**col. 19, line 13-17**).

With regards to **claim 16**, which further limits **claim 1**, wherein an elastic member is provided along an outer periphery of a rectangular hole formed in said transparent original guide unit at a side of said transparent original guide unit opposed to said original plate (a transparent plastic plate, **col. 19, line 20**).

With regards to **claim 17**, an image reading apparatus for reading a transparent original in which a transparent original illuminating device, a transparent original, an imaging lens and a reading sensor are arranged in order (flat bed scanner 71 of **Fig. 5**), wherein said transparent original illuminating device is provided at its transparent original side with a plurality of urging portions disposed at positions corresponding to an out of an image area of the transparent original and protruded above a light generating surface (Transparent original adapter 73 of **FIG. 5**), and the transparent original is urged against said transparent original plate by said urging portions (film supporting rollers 75 of **FIG. 5**).

With regards to **claim 18**, which further limits **claim 17**, wherein both surfaces of the transparent original are located within the depth of field of said imaging lens by positioning the light emitting surface of said transparent original illuminating device at the transparent original side, said plurality of urging

portions and a surface of said transparent original plate at the transparent original side within the depth of field of said focusing lens (**col. 13, line 32-35** and **col. 15, line 28-35**).

With regards to **claim 19**, which further limits **claim 17**, wherein said plurality of urging portions are provided on an out of a light emitting area of said transparent original illuminating device (film supporting rollers 75 and 76 of **FIG. 5**).

With regards to **claim 20**, which further limits **claim 17**, wherein each of said plurality of urging portions is greater than a perforation hole of the transparent original (film supporting rollers 75 and 76 are greater than perforations 24 and 23 as shown in **FIG 6**).

With regards to **claim 21**, which further limits **claim 17**, a transparent original guide rested on said transparent original plate and adapted to determine positions of the transparent original and said transparent original illuminating device (**col. 19, line 23-30**).

With regards to **claim 22**, which further limits **claim 21**, wherein said transparent original guide is provided with a spacer member located at a position out of an image area of the transparent original and inside of said urging portions between the transparent original and said transparent original plate (**FIG. 5**, film supporting members 75 and 76 create a space under a delivery device of DC motor 31 and take-up spool 32).

With regards to **claim 23**, a transparent original illuminating apparatus which is to be installed on a transparent original plate together with a transparent

original when the transparent original is read by an image reading apparatus in which said transparent original plate (transparent original adapter 73), an imaging lens and a reading sensor are arranged in order (projection lens 52 and line sensor 97), wherein said transparent original illuminating apparatus is provided at its transparent original side with a plurality of urging portions disposed at positions corresponding to an out of an image area of the transparent original and protruded above a light generating surface (see **FIG. 5**), and the transparent original is urged against said transparent original plate by said urging portions (the film supporting rollers 75 and 76 used to press the film against the scanner body 12 of the platen lass 100).

With regards to **claim 24**, which further limits **claim 23**, a transparent original guide for determining a position with respect to the transparent original (**FIG.5**, a delivery device in a film passing plane 13C, **col. 3, line 13-14**).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ochi (US 7,034,967) in view of Hamasaki (US 4,627,704).

With regards to **claim 4**, Ochi teaches an image reading apparatus where in said image reading unit includes a projection lens and a focusing mechanism

(**col. 7, line 27-33, col. 9, line 18, and col. 15, line 28-35**) but does not teach wherein said image reading unit includes a focus lens having a rod lens array.

Hamasaki does teach a rod lens array used to focus reflected light from the original onto the optical-sensitive member (**col. 2, line 44-46**).

Therefore it would have been obvious to one of the ordinary skill in the art to modify the teaching of Ochi with Hamasaki to use a focus lens having a rod lens array for the purpose of focusing the original.

8. **Claim 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochi (US 7,034,967).**

With regards to **claim 14 and 15**, Ochi does not teach R- working in particular. But Ochi teaches preventing means for the film being scratched or damaged using film supporting rollers 75 and 76 by pressing against the original placement plane of platen glass 100. DC motor 31 and take-up spool 32 firmly attach the film away from the glass platen 100 forming a certain angle.

Therefore, using the supporting rollers are functionally the same with R- working for the purpose of preventing the film being damaged during movement.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mesfin Getaneh whose telephone number is (571) 270-3752. The examiner can normally be reached on 8:00AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mesfin Getaneh/
Patent Examiner

/Vu Le/
Supervisory Patent Examiner, Art Unit 4157
Patent Training Academy